

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LORILLARD TOBACCO COMPANY,
a Delaware Corporation,

Plaintiff,

v.

Case No. 05-71052

District Judge Nancy G. Edmunds
Magistrate Judge R. Steven Whalen

ALBARAKA MINI MART, INC.,
a Michigan Corporation,

Defendant.

ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL DISCOVERY

Before the Court is Plaintiff's Motion to Compel Responses to First and Second Discovery Requests, which has been referred for hearing and determination pursuant to 28 U.S.C. §636(b)(1)(A). For the reasons stated on the record on September 12, 2005,

IT IS HEREBY ORDERED that Plaintiff's Motion to Compel Discovery [Docket #26] is GRANTED, and that Defendant shall produce responses to Plaintiff's First and Second Discovery Requests within 14 days of the date of this Order.

IT IS FURTHER ORDERED that, pursuant to Fed.R.Civ.P. 37(a)(4)(A), Defendant Albaraka Mini Mart shall, within 14 days of the date of this Order, remit to Plaintiff's counsel \$500.00 (five-hundred dollars), representing reasonable expenses and attorney fees

incurred in making this Motion.

**DEFENDANT'S FAILURE TO COMPLY WITH THIS ORDER MAY RESULT
IN FURTHER SANCTIONS, INCLUDING ENTRY OF DEFAULT JUDGMENT AND
SANCTIONS FOR CONTEMPT OF COURT.**

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: September 13, 2005

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on September 13, 2005.

S/G. Wilson
Judicial Assistant